

Message Text

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TO AMEMBASSY MOSCOW PRIORITY

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E.O. 11652: N/A

TAGS: ABLD, AFSP, UR

SUBJECT: KIEV CONSULATE PROPERTIES

REF: (A) MOSCOW 17152 (B) MOSCOW 17107 (C) MOSCOW 17077
(D) MOSCOW 17050

1. STRETELSKAYA - DEPARTMENT PLEASED TO NOTE TENANTS BEING RELOCATED (REF B). WE HOPE TO SEND ENGLISH VERSION OF REVISED PLANS AND SPECIFICATIONS END OF THIS WEEK. TRANSLATIONS WILL BE SENT TO CONTRACTOR IN BOSTON WITH ESTIMATED TRANSLATION TIME OF TWO WEEKS PLUS TWO WEEKS IN TRANSIT.

2. GORKY - TRANSLATIONS FOR GORKY (REFS A AND B) COMPLETED BY BOSTON CONTRACTOR, SENT TO DEPARTMENT NOVEMBER 1 AND WILL BE SENT TO EMBASSY AS SOON AS RECEIVED. REGARDING RENOVATIONS TO CEILINGS (REF B), BUREAU STILL ASSUMES THAT COST ESTIMATES AND PROPOSALS FOR RESTORATION OF THE

DECORATIVE CEILINGS SUBMITTED BY UPKK TO ADVANCE PARTY FOR TRANSMISSION TO THE DEPARTMENT FOR REVIEW.

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3. FLORENTSIYA (REFS C AND D) - DEPARTMENT SHARES DISAPPOINTMENT OVER DELAY CAUSED BY DISPUTE OVER WHO DOES FINISHING WORK AND FACT APARTMENTS NOW WILL NOT BE READY

UNTIL LATE DECEMBER. DEPARTMENT SUPPORTS EMBASSY'S POSITION THAT TO ACCEDE TO SOVIET POSITION WILL SET UNDESIRABLE PRECEDENT AS WE MOVE FORWARD WITH GORKY AND STRELETSKAYA PROJECTS. DEPT CANNOT AUTHORIZE EMBASSY TO SIGN A PERMANENT LEASE UNTIL INTERPRETATION OF "TYPICAL LEASE AGREEMENT" IS RESOLVED.

4. DEPARTMENT DOES NOT HAVE COPY OF JUNE 9 AGREEMENT FOR RECONFIGURATION OF FLORENTSIYA. PLEASE TRANSMIT SOONEST.

5. PER EMBASSY'S RECOMMENDATION, FOLLOWING IS PROPOSED PAPER WE PLAN TO GIVE TO SOVIET EMBASSY. PLEASE SEND COMMENTS AND/OR REVISIONS AS SOON AS POSSIBLE.

QUOTE THE DEPARTMENT WISHES TO INFORM THE SOVIET EMBASSY OF DIFFICULTIES ENCOUNTERED BY THE U.S. ADVANCE PARTY WITH THE KIEV AUTHORITIES REGARDING THE APARTMENTS LOCATED AT 9 FLORENTSIYA. AS INDICATED TO THE SOVIET MINISTRY OF FOREIGN AFFAIRS BY OUR EMBASSY OCTOBER 20, THE KIEV

AUTHORITIES INSIST ON INTERPRETING THE TERMS OF THE LEASE AGREEMENT FOR THESE APARTMENTS TO MEAN THAT ONLY THE SOVIET SIDE CAN PERFORM ANY ADDITIONAL FINISHING WORK

REQUIRED AFTER THE LEASE HAS BEEN SIGNED AND WE HAVE ACCEPTED THE PROPERTY FOR OCCUPANCY. UPKK HAS REITERATED THIS POSITION IN A MEMORANDUM OF UNDERSTANDING SIGNED OCTOBER 29. THE DEPARTMENT FINDS THIS INTERPRETATION UNACCEPTABLE AND POINTS OUT THIS PRACTICE IS CONTRARY TO THE ESTABLISHED PROCEDURE IN MOSCOW AND LENINGRAD. SINCE THE US GOVERNMENT EXPECTS TO PERFORM SIMILAR FINISHING WORK IN THE OTHER BUILDINGS ASSOCIATED WITH THE US CONSULATE GENERAL IN KIEV, THE DEPARTMENT WISHES TO RESOLVE THIS MISUNDERSTANDING AS SOON AS POSSIBLE.

QUOTE THE DEPARTMENT WISHES TO MAKE CLEAR THIS IS IN NO LIMITED OFFICIAL USE

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WAY A REFLECTION ON THE QUALITY OF WORK PERFORMED BY THE CONSTRUCTION-RENOVATION ORGANIZATIONS IN KIEV. THE EMBASSY AND US ADVANCE PARTY IN KIEV HAVE EXPRESSED SATISFACTION WITH THE WORK ALREADY COMPLETED. HOWEVER, FROM THE OUTSET

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THE EMBASSY HAS INTERPRETED THE PHRASE 'TYPICAL LEASE

AGREEMENT' AS IT IS GENERALLY INTERPRETED IN MOSCOW AND LENINGRAD; THAT IS, THAT THE US SIDE HAS THE RIGHT TO HAVE ITS SPECIALISTS DO FINISHING WORK, AND WE HAVE PLANNED ACCORDINGLY.

QUOTE THE DEPARTMENT REQUESTS THAT THE EMBASSY CONVEY THE DEPARTMENT'S VIEWS ON THIS SUBJECT TO THE MINISTRY OF FOREIGN AFFAIRS, AND AS REQUESTED IN THE EMBASSY'S LETTER OF OCTOBER 20, INFORM THE KIEV AUTHORITIES OF THE PREVAILING PRACTICE IN SUCH CASES. IT WOULD BE UNFORTUNATE IF UNNECESSARY DELAYS TO THE COMPLETION OF THE APARTMENTS WERE TO RESULT FROM AN UNREASONABLE ATTITUDE OF THE KIEV AUTHORITIES ON THIS MATTER. UNQUOTE KISSINGER

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